



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

May 15, 2008

Reply To: ECL-115

David Ashton
Assistant General Counsel
Port of Portland
121 NW Everett
Portland, Oregon 97209

Nicole LaFranchise
Environmental Project Manager
Port of Portland
121 NW Everett
Portland, Oregon 97209

Re: Port of Portland Request for Extension of Response to First Request for Information;
Portland Harbor Superfund Site, Portland, Oregon

Dear Mr. Ashton and Ms. LaFranchise:

Over the past few months, EPA and representatives for the Port of Portland have been meeting and discussing both the scope and response deadline for EPA's First Request for Information; Portland Harbor Superfund Site, Portland, Oregon, dated January 18, 2008. Because the Port's authority involves land acquisition and development as well as operating marine terminal facilities, the Port represents that it has had involvement with an extensive amount of property within the Investigation Area. The Port requested that EPA limit the scope of the First Request for Information to properties that the Port historically owned or operated or currently owns or operates that it is aware require an environmental investigation or cleanup. There are also properties the Port has owned or operated that have had long-term tenants or that the Port may jointly own with another government entity where the tenants or other government entity has more information about operations and activities on such properties. The Port also requested a phased schedule for submitting responses to First Request for Information.

Based upon the circumstances you presented, EPA agrees to revise the definition of "Properties" in the First Request for Information as written below.

The term "Property(ies)" shall refer to any and all real or personal property within the Portland Harbor Investigation Area that Respondent

owns, leases, manages, operates, has an easement on, or otherwise has an affiliation and previously owned, leased, managed, operated, or had an easement on, or was otherwise affiliated about which the State of Oregon, any federal agency, or any third party has notified the Port that a property requires investigation or potential cleanup, or that the Port knows or comes to know requires investigation or potential cleanup. Property(ies) shall not mean real property that the Port may have owned or managed only for the purpose of filling and making the property suitable for use or development, if such property was never operated or leased for commercial use by the Port. The term Property includes aquatic lands owned, leased, or otherwise controlled by the Port. Please note that you must answer the Questions in this Information Request related to properties outside the Investigation Area if Question 4, Section 2.0 specifically instructs you to."

There are properties that fit this revised definition but other persons or entities have also owned or operated on them and such persons or entities are in a better position to provide information to EPA. Thus, EPA has agreed to defer the Port's obligation to provide responses on such properties pending receipt of responses from other persons or entities. Therefore, notwithstanding the above definition, EPA also agrees that the list of properties attached to this letter with the designation "Yes" will be the initial properties for which the Port will provide responses to the First Request for Information. EPA also agrees to extend the due date for your response to the phased schedule indicated on the enclosure to this letter.

EPA's agreement to narrow the scope of the First Request for Information for the Port does not change or affect any other Respondent's obligation to provide complete responses to the First Request for Information such Respondent received. EPA's agreement to narrow the scope of the First Request for Information for the Port of Portland does not waive EPA's right in the future to request additional information from the Port about any release or potential threat of a release of a hazardous substance from any facility, including information about any of the properties listed on the enclosure with the designation "No."

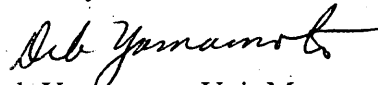
Failure to respond fully and truthfully to the Information Request by the due dates provided in this letter may result in an enforcement action by EPA. Under Section 104(e)(5)(B) of CERCLA, 42 U.S.C. § 9604(e)(5)(B), pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461, as amended by the Debt Collection Improvement Act of 1995, 31 U.S.C. § 3701, EPA is authorized to commence an action to assess civil penalties of not more than \$32,500 per day for each day of noncompliance against any person who unreasonably fails to comply with an Information Request.

Please note that responses which are incomplete, ambiguous or evasive may be treated as non-compliant with this Information Request. Also be further advised that provision of false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. You have an ongoing duty under this first

Information Request to supplement your response with any additional information or documents that become available or known to you after you submit your response. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501.

If you have any general questions about the Site, you may call Kristine Koch at (206) 553-6705, or contact her by email at koch.kristine@epa.gov. If you have legal questions about this letter or if you are represented by legal counsel, you or your attorney may contact Elizabeth McKenna, Assistant Regional Counsel, at (206) 553-0016 or mckenna.elizabeth@epa.gov, or Lori Houck Cora, Assistant Regional Counsel, at (206) 553-1115 or cora.lori@epa.gov. Thank you for your cooperation in this matter.

Sincerely,



Deb Yamamoto, Unit Manager
Site Cleanup Unit #2
Office of Environmental Cleanup

Enclosure

cc: w/enclosure

Elizabeth McKenna, EPA-ORC
Kristine Koch, EPA-ECL
Lori Houck Cora, EPA-ORC

EPA 104(e) PROPERTIES LIST - May 14, 2008

LWG No.	Taxlot RNO	RM	Willamette River Front	EPA GNL	POP Affiliation	Facility Address		ECSI #	Site Name	On the Port's Proposed 104(e) list? (cross referenced to POP #)	Proposed Submittal Date
302	R961110360 R961110010	5.5E	y	x	y	8940	N Bradford St	2350	Former DSL/Mar Com (North)	Yes. (POP # 19)	May 16, 2008
	R708881880 R971230030 R708881590 R708881588 R708881870 R708881908 R708881900 R708881950 R708880036 R708882440 R708881582	1.5E	y	x	y	15560	N Lombard St	1686 2980	T5	Yes. (POP # 27)	May 16, 2008
	R708881600 R708882410	1.5E	y	x	y	111	SW Columbia St	2980	T5 (address is wrong - tax lots are for Columbia Grain)	Yes. (POP # 27)	May 16, 2008
	R708881910	1.8E	y	x	y	15540	N Lombard St	2980	T5	Yes. (POP # 27)	May 16, 2008
	R708881960	1.5E	y	x	y	15670, 15750	N Lombard St	2980	T5	Yes. (POP # 27)	May 16, 2008
	R708881940 R708881584	1.5E	y	x	y	15550	N Lombard St	1686 2980	T5	Yes. (POP # 27)	May 16, 2008
317A 317B 317C 317D 317E 317F	R739100180 R961120410 R961120990 R961121240 R961120390 R961121420	6.5E	y	x x	y		N Crawford	2066	METRO Willamette Cove	Yes. Port former owner of Central Parcel, parcel 317E (POP # 18)	June 16, 2008

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1557	R766004790	10.6W	y	x	y	2400	NW Front Ave	3377	City of Portland	Yes. (POP # 3)	July 16, 2008
Emerson							2303 NW Front Avenue			Yes. Emerson Hardwood (Former T1 North	July 16, 2008
1633 1634	R766004300 R215000050 R883804060 R883804050	10.9W	y	x	y	2100	NW Front Ave	2642	Riverscape	Yes. (POP # 2)	August 16, 2008
1636	R766004290	10.9W	y	x	y	2100	NW Front Ave	2642	Riverscape	Yes. (POP # 2)	August 16, 2008
1458 1550 1551 1552 1153 1154 1556	R941201280 R941280500 R941280710 R941280630 R941280440 R941280650 R941280820	10W	y	x	y	3556	NW Front Ave	2769	Terminal 2 - not clear for 1556, that looks like Sulzer	Yes. (POP # 6)	September 16, 2008
1371	R941180150 R941180260 R941180240 R941180270	7.9W	y	x x	y	5480	NW Front Ave	134	McCall Oil	Yes. (POP # 7)	October 16, 2008
1367	R941180200 R941180060	7.7W	y	x	y	5880	NW St Helens Rd		Willbridge - riverfront (Kinder Morgan)	Yes. (POP # 10)	November 16, 2008
1367	R941180350	7.6W	y	x x	y	5880	NW St Helens Rd		Willbridge - riverfront (Kinder Morgan)	Yes. (POP # 10)	November 16, 2008
1368	R941180050	7.8W	y	x x	y	5531	NW Doane Ave	25 1549	Willbridge - riverfront (Chevron)	Yes. (POP # 9)	November 16, 2008

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1369	R941180040	7.8W	y	x x	y	5528	NW Doane Ave	177 1549	Willbridge - riverfront (ConocoPhillips)	Yes. (POP # 8)	November 16, 2008
1341	R961130530 R961130100	7.7W	n	x	y	5880	NW St Helens Rd		Willbridge -- west side of Front Ave (Kinder Morgan)	Yes. (POP # 10)	November 16, 2008
100	R649774290	2.2E	y	x	y	14400	N Rivergate Blvd	141	Former Bilge Water Site, Evraz Oregon Steel (# 26)	Yes. Former Bilge Water Site (POP # 26)	December 16, 2008
118 119	R971260030 R708882800	2.5E	n		y	14025	N Rivergate Blvd		Union Chemical/Union Oil	Yes. As part of former bilge water site, where Evraz Oregon Steel is located (POP # 26)	December 16, 2008
159	R708887100	3.4E	y		y	13035	N Rivergate Blvd		BPA Easement	Yes. Keeler Right of Way DEQ ECSI 1067. (POP # 25)	December 16, 2008
509	R649831506	9.2E	n	x x x	y	4747	N Channel Ave		Freightliner HQ	Yes. (Added to Port list)	January 16, 2009
608 609	R649831502 R649831504	9.4E	n	x x	y	4435	N Channel Ave		Boise Cascade & Ports O' Call	Yes. (Added to Port List)	January 16, 2009
City of Portland							Swan Island Lagoon		Head Swan Island Lagoon	Yes. (POP # 15)	January 16, 2009

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376	R941171330 R941180390	8.4E	y	x x		5555	N Channel Ave	271	Cascade General Shipyard	Yes. Swan Island Upland Facility Operable Unit 1 (POP # 16)	February 16, 2009
422 423	R941170590 R941171240	9.0E	y		y	5959	N Basin Ave		Green strip along Becker Trucking	Yes. Part of Becker Truck (POP # 16)	February 16, 2009
434	R941170600	9.0E	y	x	y	5959	N Basin Ave		Becker (former Berth 311)	Yes. Part of Becker Truck (POP # 16)	February 16, 2009
451	R649831522	9.0E	y	x	y		N Channel Ave		SIUF OU2	Yes. Swan Island Upland Facility Operable Unit 2 (POP # 11)	February 16, 2009
452	R649831524	8.6E	n	x	y	5555	N Channel Ave		Cascade Parking Lot	Yes. Swan Island Upland Facility Operable Unit 4 (POP # 12)	February 16, 2009
453	R649831526	9.0E	y	x	y		N Channel Ave		SIUF OU2	Yes. Swan Island Upland Facility Operable Unit 2 (POP # 11)	February 16, 2009
521	R941201340 R941201330 R941201350	8.6E	y	x	y	5120	N Lagoon Ave		SIUF OU3	Yes. Swan Island Upland Facility Operable Unit 3.	February 16, 2009

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DERP FUDS Area							DERP FUDS Application Area Swan Island Industrial Park			Yes. (POP # 17) FUDs evaluation last pending with US Army Corps of Engineers Jonathan Maas (retired)	February 16, 2009
169 171 200 201 202 220 223 224 225 226 227 228 229 230 232 281 282 283	R971350540 R971350250 R961021100 R961020420 R961020930 R961021020 R961021260 R961021270 R961021280 R961020410 R961020910 R961020960 R961021030 R961020380 R961021190 R961021200 R961020630 R961020390	4.6E	y	x	y	10400/11 040	N Lombard St	2356 272 2017	T4S1	Yes (POP # 22 & 23)	March 16, 2009
200	R971350240 R961021350 R961021360	4.3E	y	x x	y	10400/11 040	N Lombard St	2356 272 2017	T4S1	Yes. (POP # 22 & 23)	March 16, 2009

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203 284 300	R961021340 R961021330 R961110340	5.0E	n		y	15560	N Lombard St	1686 2980	T4 ASA	Yes. Tenant: Toyota (POP # 24)	March 16, 2009
211	R961020070	4.5E	n		y				Toyota Upper Lot	Yes. Tenant: Toyota (POP # 24)	March 16, 2009
212	R961020580	4.5E	n		y				Toyota Upper Lot	Yes. Tenant: Toyota (POP # 24)	March 16, 2009
215 216 218	R961020090	4.5E	n		y				Toyota Upper Lot	Yes. Tenant: Toyota (POP # 24)	March 16, 2009
218	R961021130	4.5E	n		y				Toyota Upper Lot	Yes. Tenant: Toyota (POP # 24)	March 16, 2009
	R961021140	4.5E	n		y				Toyota Upper Lot	Yes. Tenant: Toyota (POP # 24)	March 16, 2009
221 222 231	R961021240 R961021230 R961021250	4.3E	y	x	y	10400/11 040	N Lombard St	2980	T4S3	Yes. (POP # 21 & 23)	March 16, 2009

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301	R961110450	5.0E	n		y	10400	N Lombard St	172	T4 ASA	Yes. Tenant: Toyota (POP # 20)	March 16, 2009
112 158	R708887000 R708887010	3E	y		y	13333	N Rivergate Blvd	2980	Georgia Pacific	No. Long term tenant with exclusive possession. Tenant in best position to know of any releases to Portland Harbor.	N/A
114 115	R708882740 R971260340	2.7E	y		y				Tract O next to Simplot	No. No knowledge of requirement to investigate or cleanup hazardous substance release.	N/A
403 404	R941171120 R941171030	8.5E	y		y	6208	N Ensign St		Dredge Base	Yes!	January 16, 2009

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406	R941171170	8.8E	y		y	5851	N Lagoon Ave		Service Steel w/ lease to AGG?	No. Site outside the DEQ supervised Swan Island Upland Facility. Port sold property to Schnitzer Realty Co. in 1966. Thereafter site apparently used for steel fabrication, steel warehousing and limited industrial mill supply and distribution. According to www.portlandmaps.com , the alternative tax ID for this property is R941170730 and it is owned by "EWH LLC / SERVICE STEEL".	N/A

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408	R941171190	8.8E	y		y				Intersection of N. Lagoon & Dolphin	No. No knowledge of requirement to investigate or cleanup hazardous substance release.	N/A
450	R649831500	9.6E	y	x	y				West Swan Island by Freightliner HQ	No. No knowledge of requirement to investigate or cleanup hazardous substance release. This is McCarthy Park, which is a narrow strip of property along the waterfront on the west, upstream end of Swan Island. Aerial photograph review shows no development prior to it being dedicated as a greenspace.	N/A

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511 512	R941201110 R649831508	8.8E	n	x x	y				right-of-way of Channel Ave and a small strip of land south of OU2	No. No knowledge of requirement to investigate or cleanup hazardous substance release.	N/A
538	R941201270	8.8E	y	x	y	Sly side of	N Lagoon Ave		SW Corner of Dolphin & Channel unknown	No. No knowledge of requirement to investigate or cleanup hazardous substance release.	N/A
538	R941201240	8.8E	y	x	y	5350	N Channel Ave		SW Corner of Dolphin & Channel unknown	No. No knowledge of requirement to investigate or cleanup hazardous substance release.	N/A

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607	R649831494	9.6E	y	x	y				City pump station	No. No knowledge of requirement to investigate or cleanup hazardous substance release. This 7.94-acre parcel was sold to the City in 2002 for the development of their pump station. The City excavated a large vertical shaft and other earthworks onsite as part of the West Side CSO Tunnel Project. Aerial photograph review indicates no development prior to 2002.	N/A

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619 620	R941280920 R941280620	10.5E	y	x	y				UPRR Albina Dock	No. This 1.77-acre parcel was sold to Union Pacific in 2007 so that they could complete source control actions on the adjacent uplands. As indicated by the attached Questionnaire response, no Port sources of contamination have been identified on this property.	N/A

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1354	R961130480	6.5W	n	x x x	y	7200	NW Front Ave	183	Siltronic	No. This is a 0.68-acre parcel that is covered by the Siltronic admin building. The title to this parcel was held as security against a bonding obligation from 1979. Bonds were paid and the title was released in 2004.	N/A
PHQ							121 NW Everett Street		PHQ	No. Building is outside of 104(e) request boundaries.	N/A